

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DESEAN GAITHER,

Plaintiff,

-against-

DEPARTMENT OF CORRECTIONS, et al.,

Defendants.

21-CV-5461(LTS)

CIVIL JUDGMENT

Pursuant to the order issued September 16, 2021, dismissing the complaint,

IT IS ORDERED, ADJUDGED AND DECREED that the complaint is dismissed without prejudice under Rule 41(b) of the Federal Rules of Civil Procedure for failure to prosecute.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from the Court's judgment would not be taken in good faith.

IT IS FURTHER ORDERED that the Clerk of Court mail a copy of this judgment to Plaintiff and note service on the docket.

SO ORDERED.

Dated: September 16, 2021
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge